

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Jean Paul Lozada	Team: Squad #3	CCRB Case #: 201504111	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 05/20/2015 2:35 PM	Location of Incident: Park Avenue and East 189th Street	Precinct: 48	18 Mo. SOL 11/20/2016	EO SOL 11/20/2016	
Date/Time CV Reported Thu, 05/21/2015 7:16 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Thu, 05/21/2015 7:16 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Brian Travis	13605	952300	048 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Christophe Davis	1475	938323	048 PCT
2. POM John Zidek	10714	952370	048 PCT
3. POM Justin Cristiano	11366	951891	048 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Brian Travis	Abuse: PO Brian Travis searched § 87(2)(b) [REDACTED]	[REDACTED]

Case Summary

On May 21, 2015, § 87(2)(b) filed this complaint via the Call Processing System.

On May 20, 2015, at approximately 2:45 p.m., § 87(2)(b) dropped a candy wrapper on Park Avenue near East 189th Street in the Bronx and Sgt. Christopher Davis, PO Brian Travis, PO John Zidek, and PO Justin Cristiano approached her and asked her for her identification. § 87(2)(b) said she did not have any identification in her bag except for her social security card, which does not have the correct last name on it. PO Travis told § 87(2)(b) to give him her wallet. § 87(2)(b) reached into her bag, retrieved her wallet, and was about to give it to PO Travis, but PO Travis snatched it from her hand. PO Travis removed § 87(2)(b)'s debit card from her wallet (**Allegation A**) and began to write her a summons for littering. PO Travis gave the summons to § 87(2)(b) and told her everything was back in her wallet. § 87(2)(b) later discovered that her debit card was missing from her wallet and has not been able to find it to date. She did not know what the officers did with her debit card, but the last time she saw it was in PO Travis' hand. § 87(2)(b) stated that she knew she did not lose it herself.

§ 87(2)(g)

Mediation, Civil, and Criminal Histories

- Mediation was offered to § 87(2)(b) during her telephone statement on May 22, 2015 and again her telephone interview on May 28, 2015. § 87(2)(b) rejected mediation § 87(2)(b)
- As of July 8, 2015, § 87(2)(b) has not filed a notice of claim regarding this incident (see Board Review 01).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Civilian and Officer CCRB Histories

- This is the first CCRB complaint filed by § 87(2)(b) (see Board Review 03).
- PO Brian Travis has been a member of the NYPD for three years and has one prior CCRB allegation involving one case with no substantiated allegations. § 87(2)(g)

Potential Issues

- § 87(2)(b) stated that her brother, § 87(2)(b) witnessed the incident and potentially had video footage of the incident. However, when contacted, § 87(2)(b) denied ever having video footage of the incident and refused to participate in the investigation.

Findings and Recommendations

Allegations Not Pleaded

- § 87(2)(g)

Allegation A: PO Brian Travis searched § 87(2)(b)

§ 87(2)(b) stated that PO Travis grabbed her wallet from her hand and removed her debit card prior to writing her a summons. § 87(2)(b) stated that PO Travis grabbed § 87(2)(b)'s purse, searched through it, and retrieved her debit card. PO Travis denied entering § 87(2)(b)

§ 87(2)(b)'s wallet and being in possession of her wallet or her debit card. He stated that § 87(2)(b) reached in to her purse and handed him her New York State benefit card. Sgt. Davis and PO Cristiano stated that no officer grabbed or removed any items from § 87(2)(b)'s wallet. Sgt. Davis did not know whether § 87(2)(b) produced her identification on her own or whether an officer had to retrieve it from her person. PO Cristiano stated that § 87(2)(b) retrieved her identification on her own and handed it to an officer whom he could not recall. PO Zidek stated that no officer grabbed § 87(2)(b)'s wallet and did not observe any officer in possession of her debit card. He stated that § 87(2)(b) retrieved her identification on her own and handed it to PO Travis. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Pod: _____

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date